



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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OFFICE OF
ENVIRONMENTAL REVIEW
AND ASSESSMENT

October 25, 2016

Mr. Lance Kruzic
NMFS, Oregon Coast Hatchery DEIS
2900 NW Stewart Parkway
Roseburg, Oregon 97471

Dear Mr. Kruzic:

The U.S. Environmental Protection Agency has reviewed the August 2016 Draft Environmental Impact Statement (DEIS) to Analyze Impacts of the National Marine Fisheries Service (NMFS) Proposed Approval of the Continued Operation of 10 Hatchery Facilities for Trout, Salmon, and Steelhead Along the Oregon Coast, as Described in Oregon Department of Fish and Wildlife (ODFW) Hatchery and Genetic Management Plans (HGMP) Pursuant to Section 4(d) of the Endangered Species Act (ESA) (EPA Region 10 Project Number: 16-0007-NOA).

Project Summary

The DEIS assesses environmental impacts associated with the NMFS's review and approval of HGMPs submitted by the ODFW for hatchery programs along the Oregon Coast. There are four alternatives: Alternative 1 (No-action) - "status quo", Alternative 2 (Proposed Action/Preferred Alternative) - hatchery programs operated as described in the HGMPs, Alternative 3 (Terminate Hatchery Programs on the Oregon Coast), and, Alternative 4 (Reduced Hatchery Production).

EPA Review

Our review was conducted in accordance with the EPA's responsibilities under the National Environmental Policy Act and Section 309 of the Clean Air Act. Section 309 directs the EPA to review and comment in writing on the environmental impacts associated with all major federal actions. Our review of the DEIS prepared for the proposed action considers expected environmental impacts and the adequacy of the EIS in meeting procedural and public disclosure requirements of the NEPA. We are rating the DEIS "EC-2," Environmental Concerns – Insufficient Information. Rationale for the rating is given below and a copy of our rating system is attached.

Environmental Concerns

We are rating the DEIS "Environmental Concerns" because there are environmental impacts that should be avoided in order to fully protect the environment. We are concerned about potential adverse impacts to salmon and steelhead, including: short- and long-term risks associated with genetic effects, competition and predation, facility effects, masking of natural population status from hatchery fish spawning, incidental fishing effects, and transfer of pathogens from hatchery fish and/or the hatchery facility to the adjacent river or stream.¹ We are also concerned potential adverse impacts to water quality

¹ DEIS, p. 4-34

from hatchery operations will expose aquatic organisms to higher concentrations of chemicals, viruses, parasites, and bacteria within the outfall plume immediately below the hatchery facilities.²

Insufficient Information

We are rating the DEIS "Insufficient Information" because the DEIS does not include an alternative focused on maximizing hatchery improvements, while holding production levels constant - as suggested in our 2016 scoping comments. We believe that a non-production level alternative, such as the eliminated "Attaining Hatchery Program Goals by Alternative Actions and Reforms", would provide a viable alternative to the Proposed Action, would meet the project's purpose and need, and appears to be more achievable given NMFS' authority.

While the DEIS's Proposed Action does not include new or additional protections for hatchery related adverse effects, we understand that NMFS' review and approval of hatchery programs under the ESA will have the influence - over time - of decreasing effects on natural-origin salmon and steelhead and other resources. NMFS' Recovery Plans for Oregon Coast Salmon and ODFW's 2014 *Coastal Multi-Species Conservation and Management Plan* are examples of how the overall ESA and salmon conservation framework addresses risk to salmon and steelhead, including from hatcheries.

Recommendation

To address our environmental and information concerns, we recommend that the FEIS describe the entities and processes which consider and carry out suggestions for hatchery improvements (e.g., those included in section 1.16 of the HGMPs). As appropriate and to the extent possible, we recommend that NMFS take the submitted HGMP section 1.16 improvements into consideration for this project's FEIS, Record of Decision, Evaluation and Recommendation Determination, and 4(d) rule approval letter.

Thank you for this opportunity to provide comments and if you have any questions, please contact me at (206) 553-1601 or littleton.christine@epa.gov, or Erik Peterson of my staff at (206) 553-6382 or peterson.erik@epa.gov.

Sincerely,



Christine B. Littleton, Manager
Office of Environmental Review and Assessment

Enclosure:

1. U.S. Environmental Protection Agency Rating System For Draft Environmental Impact Statements

² DEIS, p. 4-11

**U.S. Environmental Protection Agency Rating System for
Draft Environmental Impact Statements
Definitions and Follow-Up Action***

Environmental Impact of the Action

LO – Lack of Objections

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC – Environmental Concerns

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO – Environmental Objections

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU – Environmentally Unsatisfactory

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 – Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 – Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 – Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.